



**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

LEO LIONEL PAYNE,	§	
Plaintiff,	§	
vs.	§	CIVIL ACTION 3:21-3433-MGL-PJG
	§	
	§	
JESSICA MANGUM,	§	
Defendants.	§	

**ORDER ADOPTING THE REPORT AND RECOMMENDATION,
DISMISSING THIS ACTION WITH PREJUDICE
AND WITHOUT ISSUANCE AND SERVICE OF PROCESS,
AND ISSUING A PRE-FILING INJUNCTION**

Plaintiff Leo Lionel Payne (Payne) filed this 42 U.S.C. 1983 lawsuit against Defendant Jessica Mangum. He is self represented.

The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting this action be dismissed with prejudice and without issuance and service of process. She further recommends that the Court issue a pre-filing injunction against Payne. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may

accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on January 21, 2022, and the Clerk entered Payne's objections to the Report on February 1, 2022. The Court has reviewed the objections, but holds them to be without merit. It will therefore enter judgment accordingly.

Payne's four-page submission of objections is nothing more than a hodge podge of statements, to which the Court need not address. Suffice it to say this case easily warrants dismissal. Inasmuch as the Court agrees with the Magistrate Judge's comprehensive and well-reasoned Report, it need not repeat here what she wrote there. Hence, the Court will overrule Payne's objections.

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court overrules Payne's objections, adopts the Report, and incorporates it herein. Therefore, it is the judgment of the Court that this action is **DISMISSED WITH PREJUDICE** and without issuance and service of process. Further, the Court **ISSUES A PRE-FILING INJUNCTION** against Payne, as detailed in the Report.

Payne's motion for review of the case is necessarily **RENDERED AS MOOT**.

IT IS SO ORDERED.

Signed this 12th day of April, 2023, in Columbia, South Carolina.

s/ Mary Geiger Lewis
MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this Order within thirty days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.